

### **III. REMARKS**

Claims 1-5 are pending in this application. By this amendment, claim 2 has been amended herein. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Furthermore, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is requested.

Claim 2 is objected to because of an informality. Applicants have amended claim 2. Accordingly, Applicants request withdrawal of the objection.

Claim 5 is rejected under 35 U.S.C. 112, second paragraph. Claims 1, 3, and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown et al (US Patent No. 6,970,918 B2), hereinafter “Brown”. Claim 2 is rejected under 35 U.S.C. 103(a) as being obvious over Brown as applied to claim 1 above, and in view of admitted prior art.

#### **A. Rejection of claim 5 under 112, second paragraph**

Regarding the rejection of claim 5 under 35 USC 112, second paragraph, Applicants, at this point, will not amend claim 5, nor opt “in” or “out” of 35 USC 112, sixth paragraph. Applicants are unaware of any requirement to use *specific* language in a claim in order for it to be recognized under 35 USC 112, sixth paragraph. Applicants respectfully contend that claims (e.g., claim 5) are treated as either “in” or “out” of 35 USC 112, sixth paragraph, by careful analysis, be it by the Examiner or a Court of law,

based on case law, and the like. Thus, at this point, Applicants leave claim 5 written, as is and, for now, leave a determination to others as to whether or not claim 5 falls under the aegis of 35 USC 112, sixth paragraph.

**B. Rejections of claim 1, 3 and 4 under 102(e) as being anticipated by Brown**

Applicants traverse the rejections for the following reasons. Applicants respectfully submit that all claims are allowable over the cited art because the cited art does not teach all of the claim features, as is required under 102(e). Applicants contend that at least two limitations in claim 1 are not taught in the cited art.

For example, with respect to independent claim 1, Applicants respectfully submit that the cited reference fails to teach, *inter alia*, a *content server which sends back a response to the proxy together with at least one cookie* containing information about said user. Emphasis added. See claim 1.

In rejecting claim 1, the Office alleges that the aforementioned feature of a content server is disclosed in Brown at Column 4, lines 30-32. Office Action, item 5, page 4. Applicants have carefully reviewed the cited sections, as well as Brown in its entirety, and fail to see any teaching in the referenced disclosure for any type of cookie being sent back from a content server to a proxy whatsoever. In fact, the cited section resides in a paragraph that only discloses returned responses from an Internet server 30. Any discussion regarding the use of cookies, in Brown, starts later in the disclosure, starting at the paragraph at Column 5, line 17 (see e.g., block 44 at figure 4). Further, that particular paragraph (col. 5, lines 17-27) discloses the placement of unexpired

cookies in a HTTPS request header so that they may be transmitted **to** the *content server* 16 (emphasis added)(Col. 5, lines 24-26), as opposed to receiving from the content server a response with at least one cookie. In any event, there is not a teaching, nor even a suggestion, of the content server, proxy, cookie and user relationship as in the claimed invention.

In sum, Brown does not teach or suggest all of the features found in claim 1. Accordingly, Applicant respectfully requests withdrawal of the rejection with respect to claim 1.

With respect to dependent claims 2-5, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the claims depend. The dependent claims are believed to be allowable based on the above arguments, as well as for their own additional features.

#### IV. CONCLUSION

In light of the above remarks, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

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